VENIREMEN DRAWN FOR FRANK TRIAL

One Hundred and Forty-Four

Names Drawn From Jury Box—No Effort So Far at

Postponement.

The veniremen from which it is expected to choose the jury for the trial Monday of Leo M. Frank, charged with the Mary Phagan murder, was drawn yesterday afternoon by Judge John T. Pendleton, at the request of Judge L. S Roan, who returned from Covington, Ga., slightly ill.

The names of 144 men were drawn from the petit jury box, and as far as is known no actual attempt was made to have them drawn from the grand jury box, as the attorneys for Frank originally desired.

For the past week the rumor has gone the rounds that Attorneys Reuben R. Arnold and L. Z. Rosser, for the defense, would move to postpone the trial. They have so far made no statement in regard to this matter, and decline to assert whether they will endeavor to secure a postponement or not.

Solicitor Hugh M. Dorsey declared in most emphatic terms Thursday that he was ready for trial and would exert every effort to prevent a delay. Judge Roan, who was seen at his apartments at 15 East Merritts avenue, declared that he expected to be well again today, as he had merely suffered an attack of indigestion.

He stated that he expected to be able to preside, and would call the case Monday morning, on the date set. Judge Roan has been on the bench for over ten years, and has a record of never having missed a day from his duties as judge, and also of never having failed to open court on the minute.

Arnold in Covington.

Attorney Arnold went to Covington Thursday morning for a conference with Judge Roan presumably, and it is believed that he either took up with him the question of drawing the venire from the grand jury box, or took up the question of postponing the case. He refuses to discloses the reasons for his trip, and both he

and Mr. Rosser decline to say whether or not they desire the trial to proceed or otherwise.

Should a postponement be asked it would have to be done in open court, when both lawyers for the state and for the defense are present, and so far no motion for such a hearing has been made.

Should Judge Roan's illness prove more serious or of longer duration than his condition Thursday indicated the probabilities of postponement are strong. Judge Pendleton, who drew the list of veniremen, or Judges W. D. Ellis or George L. Bell have jurisdiction and could hold the trial if so requested.

At the drawing of the veniremen Thursday afternoon in Judge Pendleton's chambers, Solicitor Hugh Dorsey was present, and Attorney Herbert Haas represented the defendant.

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Neither Attorneys Arnold nor Rosser were present, and Mr. Haas did not come in until after the drawing was partially completed.

The drawing of the 144 names took place publicly, Judge Pendleton taking the names out of the jury box and reading them aloud to Deputy Clerk T. H. Jeffries, who copied them for the use of the sheriff, who will summons the venire.

Ask That Names Be Withheld.

Both the solicitor and Attorney Haas secured a complete list of the men from whom it is expected to

draw the jury. The veniremen will be served between now and Saturday. At the request of Deputy Sheriff Miner the names will not be published in The Constitution until he has had an opportunity serve the men personally.

“There’d be too many fellows taking vacations right away, if they knew they were on this list,” explained Deputy Miner, “and jes’ to tell you the whole truth, I doubt if I would blame ‘em much.”

While the names of the potential jurors in whose hands will rest the life of Leo Frank were drawn from the petit jury box as in all other cases of this kind, it was noticed by those who heard the names announced that a large per cent of them are either prominent Atlanta business men or residents of the rural districts of Fulton county.

The name of one man who was on the grand jury which indicted Frank on May 24 for the crime for which he will be tried was drawn. Clerk Jeffries called attention to this as the name was read out, but Judge Pendleton stated that he had no authority to do otherwise than leave the name upon the list.

Negroes on the List.

Of the 144 veniremen there are some four or five negroes on the list, as a few negroes in Fulton county are qualified by law to have their names in the jury box. It is only in the federal] courts, however, that a negro venireman ever finds his way to the jury box.

It is expected that the list of 144 names will be exhausted before the twelve actual jurors are finally

selected, and in this case the usual custom is for the judge to order the sheriff to go out upon the streets and bring in as many talesmen as may be needed to complete the quota of the jury. This may be done, or additional panels may be drawn from the jury box. The talesmen thus brought in from the street would have to be shown to be qualified as are the men whose names are drawn from the jury box.

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Work on Phagan Case Brings Promotion to Pinkerton Man

As a reward for his success in the Phagan mystery, Detective Harry Scott, assistant superintendent of the Atlanta Pinkerton offices, has been promoted to the superintendency of the Houston, Texas, branch, to which he goes immediately following the Close of the Frank trial. Scott's work has been declared to have been the most successful in the entire Phagan investigation. It was a result of his efforts that the famous Jim Conley confession was obtained, in which admission the negro acknowledged complicity and accused Leo Frank of the actual murder. The search was at Scott’s direction, which revealed the Phagan pay envelope and the bloody club found in the factory building. He engineered the third degree against Conley, and, assisted by John Black, of police headquarters, procured the evidence which

exacted the negro’s confession. Scott has been attached to the Atlanta offices for two years. He came from the Philadelphia headquarters, where he was assistant superintendent of the Pennsylvania branch. He is married, and is only 27 years old. His experience dates back for seven years, at the beginning of which time he left college for service with the Pinkerton forces.

While promoting of the investigation, co-operation with John Black, of headquarters, which made him a semi-associate of the police. Considerable dissent was created at first with his connection with the police department, because he was employed by the pencil factory officials. He was practically barred from association with the office of the solicitor general because of this fact.

Scott stated last night that if the Phagan case were postponed on Monday he would leave next Sunday night for his new post. He will return, however, at the date of the trial’s renewal, and will remain the city until it is completed.

In connection with his career in Atlanta, one of Scott’s master strokes was the ferreting of the famous Gilsey diamond trunk robbery, which happened in Atlanta less than two years ago. Associated with George Bullard and John Black, both of the latter of whom were attached to the police department, the famous robbery was cleared within the brief space of two weeks. Three suspects, George Wrenn, Karl Roddy and a man named Kaul, were convicted for the robbery.

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TRY TO CORROBORATE

STORY TOLD BY CONLEY

Negro Is Taken in Chief's Auto to Sections He Claims to Have Visited on Murder Night.

Jim Conley, the negro sweeper and most important figure in the Phagan case, was taken from police headquarters, in the automobile of Chief Beavers yesterday afternoon and carried over the ground on which he accounts for his whereabouts during the afternoon of the murder. He was in charge of Chief Beavers and Detectives Pat Campbell and John Starnes, headquarters' men who have been attached to the solicitor's office throughout the investigation.

He was driven through the Peters street neighborhood in which he says he spent most of the time on the afternoon of April 26, and he pointed out to the detectives and police head familiar spots he visited on that date.

An effort was also made to determine definitely whether or not W. H. Mincey, the insurance agent who says Conley admitted having killed a girl when they met at Carter and Electric streets on the murder afternoon, could have seen the negro at the designated spot.

Story Corroborated?

A number of residents of sections through which Conley says he passed that afternoon were interviewed and examined in the prisoner's presence. It is said some corroborated his story of his whereabouts.

Also, many persons who had seen negroes who resembled Conley that Saturday were confronted with him Thursday afternoon for identification. The result is not known, as neither Campbell, Starnes or their chief would talk of the excursion.

The negro was taken from headquarters late in the afternoon, place immediately into the chief's auto and rushed uptown. Upon returning, the chief announced that he would have nothing whatever to say, and that he had instructed the detectives to keep similar silence. Neither would he even explain the nature of the trip.

Chief Lanford told reporters Thursday that Conley, of late, has insisted upon facing Frank, declaring that if he can confront the white man with his story, he will obtain admission. Regarding this attitude of the negro's, the chief had to say:

"We can't get to see Frank ourselves. None of our men can see him. It seems impossible to have Conley get to him."